

THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, FEBRUARY 28, 2000 AT 1:30 P.M.

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Seng; Council Members: Camp, Cook, Fortenberry, Johnson, McRoy, Shoecraft; Paul A. Malzer, Jr., City Clerk.

The Council stood for a moment of silent meditation.

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of Feb. 22, 2000, reported having done so, found same correct.

Seconded by Fortenberry & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

PUBLIC HEARING

MAN. APP. OF DANIEL C. SMITH FOR B & R STORES, INC. DBA RUSS'S BISHOP HEIGHTS IGA AT 4200 S. 27TH ST. - Daniel C. Smith, 945 S. 34th St., applicant, took oath & came forward to answer questions.

This matter was taken under advisement.

CHANGE OF ZONE 3229 - APP. OF TRG CONSULTING, L.L.C. FOR A CHANGE FROM R-2 RESIDENTIAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 56TH ST. & PIONEERS BLVD. (IN CONNECTION W/00R-65);

SPECIAL PERMIT 1824 - APP. OF TRG CONSULTING TO CONSTRUCT A DOMICILIARY CARE FACILITY OF 98 UNITS FOR 102 RESIDENTS ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 56TH ST. & PIONEERS BLVD. (IN CONNECTION W/00-47) - Bill Blake, 1045 Lincoln Mall, attorney for the applicant: Ron Ross is here with me to discuss with you briefly some of the specifics about the design & layout of the project. This is a project for a 98 unit, 102 resident assisted living residence. It was approved, recommended approval, by the City or by the City-County Planning Commission eight to nothing. And the Planning Staff also recommended approval. This does need a change of zone for part of the property from R-2 to R-4. It has R-4 on three sides of the property now. And we think that R-4 is obviously the property use for this property. It also needs a special permit for a domiciliary care unit. And, as I said, it has been recommended for approval. I do want to mention to you that there is a utility plan that has been submitted to the City that has Item #10 on that plan shown as relating to sewer & water for North Brook Rd. Item 10 on that utility plan has really no relevance to this project. That's just an error. It relates to an entirely different part of town & we just want to make sure on the record that everybody understands that Item 10 on that plan is not a responsibility of these developers. If you have any questions, with us this afternoon also are (inaudible) Whitney & Ken Davis of Denver. They are with TRG Consulting. They are the developers of the property. If there are any questions, we'll try to answer them & I'll let Mr. Ross discuss the details of the layout.

Ron Ross, Ross Engineering, 650 J St., Suite 210: There weren't really any issues that came up at Planning Commission on this particular project. One which I'll highlight, one individual from the neighborhood further to the west got up & talked about possible traffic concerns along Pioneers Boulevard. We didn't really need to respond. Cecil Steward on Planning Commission, at the time, commented that actually if this area was developed with a more conventional townhouse-type development, other potential single-family there, with the traffic movements that you have from single-family or townhouses, you actually might experience more increased traffic from that type of a development & I simply commented because you probably saw some dialogue in your packet pertaining to that. This project is about 1.74 acres. It's partially zoned R-2. We have R-4

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zoning around us to the north. To the east of 56th St., there are, as Bill indicated, a total of 102 residents. We have two access into the project. One is a sheared access point with Cedars Youth Home right to the north of us. We also have a secondary access onto Pioneers Blvd. Staff had suggested at the outset as we were in our planning sessions with them that we locate that as far west onto the property as we can. Maybe one of the more important things to highlight is throughout the process of getting this project before Planning Commission even submitted to staff, Ken & Oat have had numerous meetings with the adjacent neighborhood association which is the Pioneer Grove. That's 10 retirement townhouses that are immediately to the west of us. They had some concerns over the project, thought it was very compatible since we're retirement, they're retirement. One of the requests they made of Oat was a 6' high board fence that we will be constructing as part of the site improvements. The project has three levels to it. There are 9 units out of the 98 units are in the far west wing, the northwest corner & because of the natural terrain, this is one of the reasons that this site probably hasn't developed sooner over the years. There's a lot of relief to the site. In character with that relief, the project has been designed by an architect in Denver to take into consideration the relief that we have we, therefore, have on the lower level 9 of the overall units that have actual walk-out view onto the open space to the northwest. I'd be happy to answer any more questions. Ken & Oat are here, the developers. They've done other similar projects that are actually up & running. They're here today if you would have any specific questions of them. Be happy to answer any questions you might have.

Jonathan Cook, Council Member: I just have one question about the street plan. There aren't any deceleration lanes, any right turn lanes off of 56th or Pioneers correct?

Mr. Ross: No, there are not.

Mr. Cook: Are the volumes just...I mean, we require right-turn lanes all over the place when we get a chance especially where we've put in new arterials like this & I'm wondering why.

Mr. Ross: Jonathan, it did not come up in any of the Staff reports. We do have two entrances, as I indicated. This is elderly that have very, very minimal, as you would expect, traffic. We have more traffic generated just by the staff that they have. Was not felt that there would need to be a decel lane in the southbound off 56th. And I guess that's about all I can say is it was not felt to be a need from the standpoint of the amount of residents & traffic that we have for the project.

Mr. Cook: Which entrance do you see as being the one most heavily used? The one on 56th or Pioneers?

Mr. Ross: Depending upon which way people are heading, right now, 56th St. is wider. It serves both us &, as indicated, it shared access for the Cedars Youth Home facility. They have, I believe, 6 units in there & they, too, don't generate a great amount of traffic. I think you'll see more traffic coming in & out of 56th St. than off Pioneers. We weren't asked to do a traffic study so we didn't do specific trip generations. This intersection was rebuilt by the City just about 2 yrs. ago.

Mr. Cook: Yeah, well, that's why I'm wondering why the City didn't make more of a request regarding traffic studies or right-turn lanes but I guess if they didn't ask you about that...

Mr. Ross: The only thing, & Staff can respond to this, there's a certain minimum number of trips at the peak hour, either a.m. or p.m., that if once you're to that level, they have typically asked for what you're suggesting as a decel lane. In this case, I think our trips are beneath that number. Therefore, it was not brought up as a need.

Mr. Cook: Okay, thanks.

This matter was taken under advisement.

CHANGE OF ZONE 3234 - APP. OF E.D.C. FOR A CHANGE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT GUNNISON & BRECKENRIDGE NORTH OF THE OLD FLETCHER ALIGNMENT, ½ MILE WEST OF N. 27TH ST. - Robert Dean, applicant, 630 N. Cotner Blvd., Suite 105: This piece of property is a part of the North Creek Development. It was included in the preliminary

plat that was approved by Planning Commission some time ago. And it was also part of the North Creed 3rd Add. Final Plat that platted this area into single-family lots. This piece was inadvertently left out of the rezoning for the North Creek Development & that's why it's here before you today. If you have any questions, I would try to answer those for you.

Coleen Seng, Council Chair: Thank you. I think we have a request before us to do 2nd & 3rd today?

Clerk: To do 3rd, yes, it is already on 2nd, suspend the rules.

Ms. Seng: Do I hear a motion?

Mr. Cook: So moved.

Ms. Seng: Is there a second?

Jeff Fortenberry, Council Member: Second.

Motion carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

Clerk: Does anyone else wish to come forward in regard to Item #3, either for or against? Otherwise, since Council suspended rules, we will vote on this when we get into Voting Session.

This matter was taken under advisement.

VACATING COOPER AVE. WEST FROM THE WEST RIGHT-OF-WAY LINE OF S. 52ND ST. - Brian Carstens, 5815 S. 58th St., Suite D, representing Union College, came forward to answer questions.

This matter was taken under advisement.

AMENDING CHAPTER 8.08 OF THE LMC, THE AMBULANCE TRANSPORTATION CODE, TO ALLOW AN EXTENSION OF A CURRENT CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY FOR A PERIOD NOT TO EXCEED TWO YEARS - Dick Fifer, 702 W. "C" St.: I'm appearing in favor of this. I guess I don't know the technicalities too much why it's two years. That's probably just standard. The primary reason I'm for this is to keep private business in business in this area. It's my opinion that the Mayor & Police Chief, excuse me, the Fire Chief & the Fire Union are trying to convert the private business to a tax supported business. Why would one want to eliminate private business & substitute a tax payer supported department at higher taxes. If Rural Metro needs adjustment, let's see what these are. If Rural Metro can't fulfill the emergency expectations, the alternative is not automatically to make it a tax supported department. In a letter to the Mayor, in part, I mentioned that it's not news that the Fire Dept. Union has been trying & succeeding to expand their power base at a subsequent increase in cost to the taxpayer. Same paper that I got the information on the public hearing, I just happened to note in the record section, on page 5C of the Sunday Paper, the activity at the Fire Dept. for Saturday, last Saturday, goes medical, medical, medical, medical, medical, fire call, grass fire, medical, medical, medical, fire call, grass fire, medical, medical, medical, medical, medical, remove ammunition, fire call, medical, medical, medical, dumpster fire, medical, medical, fire call, medical. Well, I think the Fire Department's looking for a new bag, something to add to the inactivity they're having I think a lot through technology in the fire area, a lot of improvement. It looks as though the Mayor has assigned Fire Chief Spadt to be the City's negotiator. And it sounds a lot to me like the fox guarding the hen house. For example, Spadt flatly says, "We do not want Rural Metro providing emergency 911 services in the City of Lincoln. It duplicates services our Firefighters already provide." These can't be negotiations. Spadt also says that Rural Metro should provide \$150,000 so that the Fire Dept. can purchase an ambulance. I don't understand that. If they got their one ambulance, they wouldn't be satisfied with it. I'm sure they would want one at every station. Should it ever, God forbid, come to the point where the Fire Dept. does take this over because the taxpayers have no idea what their costs might be if that were to happen. Again, let's keep it private & help out that private business if it, in fact, needs it. Thank you. Any questions?

Jon Camp, Council Member: Yes, Mr. Fifer, a couple comments & I appreciate your testimony. The present ordinance, just for clarification & also for any future testifiers, itself does not extend the contract two years. What it does do is give the City Council the authority to extend

for up to 2 yrs. And so, I just wanted to clarify that. I think the paper reported it as an extension of 2 yrs. And right now, what we're voting on or, actually, what we have public hearing on is just to give the City Council that authority because we presently do not have it. Secondly, the reason for that...I introduced the measure & it's...the measure itself is not to support any one particular ambulance provider. It's really to back up & give the City ample time to set forth the correct procedures & all, I think you alluded to a number of those, to determine what's in the best interest of Lincoln for economical & efficient emergency medical services. And what I'm trying to do in this is to such that others recently is to make it medically driven, not politically driven.

Mr. Fifer: Yeah, I agree with that.

Mr. Camp: Thank you.

Mr. Fifer: Well, I didn't understand it. I thought that was...will there be subsequent opportunities then to talk about the actual extension?

Mr. Camp: Well, I'm assuming that the way our normal course of business would go is if we pass this next week then that gives us the authority & then at some future time, if we want to extend it, then there'd be an additional measure introduced to extend it & then there'd be public hearing on that. Would that be correct, Madame Chair?

Mr. Fifer: Well, that'd probably be the more appropriate time for me to do everything I can to keep the Fire Dept. in the fire business.

Mr. Camp: Well, whatever your preference is, right. This is just to enable us to have some authority to do something.

Mr. Fifer: Thank you.

Mr. Camp: Thank you.

Doug Wyatt, Rural Metro Medical Services, 830 "L" St.: We support the proposed amendment giving the City Council the authority to extend the certificate of public convenience & necessity for ambulance service to this community. We feel the process allows a common sense approach in dealing with a very complex issue. We also feel that this process allows representative government input on this issue. Although we are not talking about an extension today, an extension allows us time to work together as providing emergency management services to this community in creating the best EMS System designed for Lincoln & Lancaster County. It also allows us time to incorporate the medical community in designing a system that is medically driven & not politically driven. This ordinance allows times to finalize the procedures, development of the certificate for the future that will provide for the best EMS Systems for the citizens of Lincoln & Lancaster County. And, lastly, as an employer of over 70 hardworking & dedicated individuals at Rural Metro, & as a member of the business community, this allows us more time to strategically plan & budget for the future. We see this ordinance as a mechanism to allow us the opportunity to consider these important factors & address them as we move closer to the current certificate deadline. Thank you very much.

Dan Alberts, representing Lincoln Independent Business Assoc.: I serve on Budget & Monitoring Committee as their Director & on the Board of Directors & I speak on their behalf this afternoon in support of this amendment. And LIBA members clearly recognize that this amendment doesn't mean there will be an extension as you pointed out, Councilman Camp, but it does provide the opportunity for additional debate on this issue to likely occur in a open format which LIBA members think is the most essential thing that could happen right now related to a service that is of such high importance to the community. LIBA's perspective is, as you probably are all aware, LIBA certainly would be pro-private business versus public business if it's the best thing to do & in an area as essential as this, what we believe even more than private over public, private over government is to assure that the process of making that selection is open & understood by the patrons of the community. As the Budget Monitoring Director for LIBA one of my responsibilities would be to try to stay up on how this process is going. And I take that seriously that process & I can tell you from someone who's trying to watch how this process for making this selection is occurring, it's very difficult right now, as a patron, to know how it's being handled. You just...the informa-

tion you receive from the paper, the information you receive from the Council & we've made attempts to get additional information from Rural Metro, which they've been very helpful, but it's very confusing on what's going on. And it's out view that you shouldn't have the essential decision of this magnitude to get made in a confusing manner. And we think this ordinance, if passed, increases the likelihood that this process for making the selection will be better understood by the whole community which we thinks essential to keep sort of a certainty & a security about a service that's been well done for years & something people highly depend upon. So, we see a high nexus between getting this out...more out in the open, making sure that the process, whatever it is, is well understood by all community members so that when the selection is made of whatever that selection is is that people have high confidence & security in that decision. So, for LIBA, we support this amendment highly. So, I will take any questions. Thank you very much.

Mike Morosin, 2055 "S" St., Past President of Malone Neighborhood Assoc.: I represent the citizens & many of them that've asked me to address some of the issues. Your duties & responsibilities & authorities of a sovereign government are to ensure the care for the matters of the general welfare which no lesser agency as such the private interest groups have been engaged in in this community around the ambulance contract. Only sovereign government has the means to promote the conditions of the general welfare, respecting all of the people, both for the living & future generations. Government does not rule by divine right. Government must be the subject to natural law. Government must rule according to the will of the people, not the arbitrary or customary practice of this City Council & the dictated by the oligarchy that has a stranglehold on this city. The notion of the obligation of the state is to ensure the promotion of the general welfare for all persons & for posterity. This is the premise & natural law upon which the notion of both the republic & the constitutional law of the republics depend upon essentially. On Jan. 10th, I posed four questions to you. I had not received an answer to those four questions or an opinion. And I'm still waiting for that answer. For you to take on & discuss extending a contract when serious allegations have been brought forward by many of the citizens of the community has a big problem & we need to take a look at that. The citizens want an answer before we address this issue. And, Mr. Camp, you should know that very well but we need an answer first. We can discuss extending the contract at a later date. But to bring this up first is not right & the citizens are very, very worried about what's going on with this. It's good that we have democracy & we have an open forum but please take the time & back up a few steps & look at this before we extend the contract. The task force has not yet really given you their opinion. Wait till that opinion comes forward. I thank you. Any questions that you have of me?

Mr. Camp: Are...you're testifying in favor of my ordinance?

Mr. Morosin: No, I'm testifying against extending the contract, extending your time period two years.

Mr. Camp: Well, again, the ordinance allows us the authority to extend it but you say we should not have the authority or we should?

Mr. Morosin: I don't think at this time, we could even discuss having that authority until the questions that've been posed to you on Jan. 10th are answered. I don't even think that should be a question...

Mr. Camp: Well, I'd really....

Mr. Morosin: For that authority.

Mr. Camp: Well, Mike, I appreciate your testimony because everything you said really supports my ordinance.

Mr. Morosin: Well, there's support but I don't think there that we should even be addressing that issue today at all.

Mr. Camp: Well, in order for us to address these other issues you brought up, we do need the time & so by having this ordinance passed, it will give us the time. So, I would think you'd favor the ordinance to get your answers & to allow the democracy to govern for the general welfare.

Mr. Morosin: Not at this time, not at this time. We need to backup. I'm not in favor of you not having the authority but I think at

this time we should think about this issue. Those are just my feelings. So, I thank you Mr. Camp. Anybody else?

Ms. Seng: Mike, I have some material here that Dana Roper gave me & then you weren't in attendance last week so...

Mr. Morosin: Yeah, I was in Washington D.C. discussing some problems.

Ms. Seng: And so, Paul, would you hand this to him? I believe this is the material that...

Mr. Morosin: Thank you very much, Madame Chair.

Angelica (inaudible last name), no address given: I came down here not knowing about this hearing but I came down here to find out about how I can take the Rural Metro to small claims court & just found out about the hearing coincidentally. And so I thought I would tell you my story. I have a daughter who is stricken with bi-polar disorder & in April, she walked into the Independence Center which is next to the Lincoln General after she had a disagreement with me & claimed that she was suicidal. I knew this time she was not so I chose not to check her into the hospital. Actually, nobody called me. I found out later that the Independence Center called for Rural Metro & had this girl, who was able to walk & talk & everything & was just fine, they transported her a quarter to one-half block from the Independence Center to Lincoln General. The doctor who's familiar with her case dismissed her the next day realizing that this was just a faked attempt & I didn't think too much more about it until the bill came in from Rural Metro. And it was \$405 approximately for the quarter block.

Ms. Seng: I think that your testimony is probably not appropriate at this time although I understand your concern. This is really a public hearing on the extension that we are talking about.

Angelica: Okay.

Ms. Seng: And it's not specifically to address the merits of...

Angelica: Okay. I guess forget what I said first but the cost of one-quarter to one-half block, I found it excessive. Later the bill was reduced to \$315 they said because my Blue Cross Insurance would not pay for that much & I refused to pay it because I thought it was crazy for a quarter block transportation. I was told that they have overhead for no matter how far the distance & I guess if I go to the dentist, then I should expect a routine exam to cost \$400 also 'cause they have overhead. And so I feel the citizens do need to know this & it's excessive & it's not good business to charge that much for transportation for a quarter block.

Ms. Seng: We are not debating those merits today but thank you.

Angelica: Okay, thank you.

Glen Cekal, 1420 "C" St.: I didn't really intend to speak on this but I don't quite like the sound of some of the things I heard today especially by Mr. Camp. I have observed that the City Council has selective hearing, selective representation. I read an article in the paper, I guess it was the Sunday paper, somebody talking about Hillary Clinton &, anyhow, he says in here it has something to do with the fact that she didn't tip when she stopped into a diner to have something to eat which he was giving her for free. And this person commentating on this, on her in general, & in this particular situation, said something like, let's see, I can't find it here, oh, yes, it says, "Hillary Clinton maybe confident about her chance of victory in the Senate race but a few more trips upstate should convince sensible New Yorkers she represents only the (inaudible) & selfish. As a political litmus test, I can no longer support any candidate who is eager to spend my money, reluctant to spend any of her own." I feel that there seems to be representation on the part of the person introducing this to represent the selfish interests of the Lincoln...of the Bryan Hospital, the 49% they have in Rural Metro. The fact that their stock has gone down to practically nothing & that anything that's done further to damage this will even be more expensive. I think at the risk of much damage to the general public, Mr. Camp, by your what appears to me to be protecting the selfish interests of those few who should be doing exactly the opposite in this case. Unfortunately, they're looking after their own first. Speaks very poorly of what appears to be

your motives. The Rural Metro has proven, by their actions, that they're not fit to do the job. They lack quality, performance. They've mishandled a number of things. From my understanding of what Mr. Morosin has said, they might owe us up to approx. a million dollars in penalties. I haven't seen you look out after our interests on that, Mr. Camp. Why haven't you? Is it because these people are friends of yours & it would affect them in other ways like their pocketbook? I remember when you voted against adding two policemen but you had no trouble voting for the baseball park.

Ms. Seng: Glen, can you kind of...can you stay to the point?

Mr. Cekal: I am on target, Coleen, as far as I'm concerned. Right on target. So, as I say, back to selective hearing, I don't think the best interests of the public have been represented from the very time that this contract was let which I consider to be illegal & I considered it to be cash cow for the Republican party. Call it what you want, that's why I think. And there's plenty of fault with the other party also so I don't mean to be picking on the Republicans any more than the Democrats. That's why I'm now an independent. Thank you.

Ms. Seng: Okay, thank you.

Mr. Camp: Glen, I'd like to visit with you. Again, let me repeat the purpose of the ordinance is just to give the...

Mr. Cekal: Uh, I...

Mr. Camp: Glen, I'm...

Mr. Cekal: Think you are confusing the issue. You have not answered the...

Cindy Johnson, Council Member: Glen, this is inappropriate, c'mon.

Mr. Cekal: Four questions that Mr. Morosin asked you Jan. 10th. Why haven't you answered that? That, to me, is sticking to the situation. That should come first before this.

Ms. Seng: Glen, he wanted...

Mr. Cekal: He asked me back.

Ms. Seng: He wanted to ask you a question & you interrupted.

Mr. Cekal: I'm sorry.

Mr. Camp: I just want to make sure that you understand the ordinance isn't favoring....

Mr. Cekal: I understand.

Mr. Camp: Okay.

Mr. Cekal: I understand that. It's some more...I can't pronounce this word, some more obfuscation of the facts, in my opinion. Pure & simple. I wish the best interest...the simple, basic, best interest, we need to have a rescue entity representing this area that's second to none in the United States. It needs to be highly mobile & whether there's a train wreck, you name it, a terrorist, a grain explosion or somebody let the grease splatter & started a fire in the kitchen, whatever it may be & it should be set up on the highest possible standards & these people should be constantly trained & retrained & I think we've already got somebody that we're paying...I'm not for the Fire Dept. as such but they're already in a position to handle this thing. And if they want to handle it & are capable & will measure up to the standards that we set, then I say let them do it & expect them to tow the line. And if Rural Metro owes us money, who is watching on the fact that you keep constantly saying, I'm here to represent the public's interest in terms of their billfold. I don't see that being done here. I see protection for the Bryan Hospital owners of the Rural Metro stock which has gone to next to nothing. And I feel sorry for them on that score. I don't enjoy seeing anybody lose anything but you've got to put the public first. And you've gotta take first things first. And I can't help it that I agree with Mr. Morosin. I don't always agree with him. In this case, I think he's earned the right to speak. He's done his homework & he hasn't been paid attention to like he should be & it's not because it's him, it's because of what he represents, the information, the questions, the facts in trying to solve our problem of providing the best rescue service possible.

Ms. Seng: Okay, Glen...[break in tape].

Mr. Camp: I think the Chair has given Mr. Morosin some answers to his Jan. 10th questions. Secondly, I really appreciate your testimony

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because you're highlighting the very concerns I have & that is that we do have the opportunity to design a system that essentially is second to none. So, you really are agreeing with the purpose. This ordinance & the position I'm at today, once we get beyond this ordinance, is one of making sure we have the right procedures, we have the right quality oversight & so forth so that we can have good emergency medical systems.

Mr. Cekal: This part I agree with you.

Mr. Camp: There's no promotion here of who drives the ambulances. That's not the issue.

Mr. Cekal: This part I agree with you except if we...if they are now owning us plus or minus a million dollars because they haven't performed as per contract. I think this needs to be checked into. I haven't seen you or anybody else do that yet except Mr. Morosin.

Ms. Seng: Okay, Glen, I think we got the point.

Mr. Cekal: So, I don't think this company...I think they've struck themselves out & we need to get somebody new on board that can handle the job. Thank you.

This matter was taken under advisement.

SPECIAL PERMIT 773A - APP. OF LINCOLN HOUSING AUTHORITY TO REVISE & EXPAND A PARKING LOT ON PROPERTY GENERALLY LOCATED AT 57TH & "R" STS. - Tom Huston, 233 S. 13th St., Suite 1900, representing applicant: In the audience with me today is Larry Potratz, Executive Director, & Beverly Fleming, who's the Planning Director for the Housing Authority. The application before you is an amendment to the existing special permit that was approved 23 yrs. ago. A lot has changed for the Housing Authority in those 23 yrs. as the volume has more or less doubled & the project, the application before you, really permits that to happen. There is an expansion project that will be occurring with the Housing Authority's office & this amendment to the special permit allows reconfiguration of the existing parking on-site that all the parking requirements can be met on-site but we also want to expand the parking to provide some overflow parking, keep any parking off the public street because of the concern for the neighbors & this special permit would do so. We received an 8-0 approval before the Planning Commission based upon a conditional approval recommendation from the Planning Dept. We agree with all those conditions & I'd be happy to answer any questions that you may have.

Ms. Seng: Thank you for working with Mr. Miller.

Mr. Huston: Yes, we got that resolved.

This matter was taken under advisement.

APPROVING THE N. 33RD ST. INFRASTRUCTURE AGRMT. BETWEEN THE CITY & NORTHRIDGE HEIGHTS PARTNERS, RIDGE DEVELOPMENT CO., LANCASTER COUNTY SCHOOL DIST. 001, KNOX ASSOCIATES, SUPERIOR POINTE PARTNERS, NORTH THIRTY-THIRD L.L.C., & DENNIS R. SCHWORER FOR THE DESIGN & CONSTRUCTION OF THE EXTENSION OF N. 33RD ST. TO ITS TERMINUS - Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350: Representing the seven clients that have worked together as the North Thirty-third Coalition to build with the City of Lincoln, N. 33rd St. from Superior to going north, turning & ending up near Fletcher & 27th St. This agreement is part of the overall process to build 33rd St. where the private sector & the City are working hand in hand to get that job done this year & the agreement just spells out the various parties responsibilities & I'd be glad to answer any questions you might have.

Mr. Cook: I have a question that I think Roger may also want to talk to with (inaudible). Have a hundred foot right-of-way here which I understand it was something that...an agreement that was reached in the past & we're sticking to that. But we're putting in a 28' median to accommodate double lefts potentially at some future date. And I don't see anything in all of the accounting of the costs, anything for landscaping. The trees either down the center or along the side & I just want somebody to explain what the future commitment is regarding the beautification of this particular road.

Roger Figard, Public Works: It's not typical for us to include landscaping considerations, planting & trees as part of a typical special



assessment type project in which paving district would be. So, specifically, we have not included trees & landscaping as part of this agreement & the paving district that would be coming for you very shortly. Public Works is committed upon completing projects to work with the businesses & anyone else that's interested in coming up with an appropriate type of landscaping project to follow. It's intended that the trail not follow the existing rights of way so we don't need quite the same width. We will still may have to evaluate exactly where sidewalks would be at such time in the future as there are proven pedestrian needs & would be back asking the Council to order those sidewalks in. Within that right-of-way, I think we will do the best we can with the design, Jonathan.

Mr. Cook: So, currently, the plan, since we don't have the landscaping plan at all right now, the plan for this project is just to put dirt in that & put in grass for now or...?

Mr. Figard: I think our intention would be when the paving district is created & ordered, at that time, as we finish the design, we would start an active project process of evaluating what the landscaping should be so that it could follow along with the paving district or shortly thereafter. We wouldn't wait till we were all done & then say, hey, now, we need to do the rest of this. It should be done as part of that process but a separate contract.

Ms. Seng: I think Jennifer wants to say something.

Jennifer Dam, Planning Dept.: I would point out that the northern portion of this is included in the Landmark Businesspark Preliminary Plat. The preliminary plat requires street trees or requires street trees to be shown on a landscape plan so at the time the lots within that preliminary plat are final platted, they'll be required to put in street trees. That's for the northern portion of this. The southern portion of this isn't all platted. At the time it is platted, street trees will be required along the right-of-way at that time as well.

Mr. Cook: There's just a concern about width when it comes to street trees because we don't have a whole lot of space left & if we don't put sidewalks in we'll have room. If we do, we might have (inaudible).

Ms. Dam: On a major arterial street, they're required to be put on private property.

Mr. Cook: Okay, that's something. That's new. So, on an arterial street, they're expected to be on private property?

Ms. Dam: Yeah. On an arterial street, they're on private property, in newly platted subdivisions & they are the responsibility of the developer to put them in at the time of platting.

Mr. Cook: Okay. Well, and this dirt will be prepared. I know this was a controversy with the roads out south & southeast that we make sure that that dirt isn't all packed down by the trucks running over it, that it's prepared so the trees could live in it at some point.

Mr. Figard: It'll be the right dirt when it goes in & if it gets compacted, it will be reworked. I guess just the other thing I'd like to say, I really appreciate...

Ms. Seng: The right dirt?

Mr. Figard: The right dirt. That'll be in the specifications, the right dirt. I really appreciated the applicants willingness to work with the City & try to place wider medians in an area such that if the future traffic needs need dual lefts & some of those other additional infrastructure, we can do it with minimal interruption to the businesses & not have to do a lot of reconstruction. And that was new so I appreciated their willingness to do that.

Mr. Seacrest: The only thing I think I would add is at certain intersections we go beyond a hundred feet to accommodate the right-turn movements. And in front of you today is a corresponding waiver, I believe, of the setbacks so we can get your right-of-way in there for those dual left movements.

This matter was taken under advisement.

**\*\* 3:50 p.m. - Council took a break.**

**4:00 p.m. - Council reconvened. \*\***

MISCELLANEOUS BUSINESS

Mike Grieger, 1023 "O" St., came forward re: doesn't want to spend money to put a skywalk through this building; commended LPD on arrest of suspects in the Casey Jones murder; thanked Council for asking Mr. Figard to go to the State re: contaminated soil issues; can't believe City put an impound lot at the front door of the new baseball facility.

Mike Morosin, 2055 "S" St., came forward to thank Roger Figard for taking care of the parking problem in front of the fire hydrants in the Malone neighborhood.

Roger Conrad, 3440 S. 40th St., came forward in opposition to the S. 40th St., Sheridan to Pioneers, widening proj.; number one concern is City needs to increase the number of crosswalks between Van Dorn & Pioneers.

Winona Brady, 40th & Locust, came forward in opposition to the S. 40th St., Sheridan to Pioneers, widening proj.; this will make it a mini-interstate; destroy lawns, flowers, sidewalks, etc.

Deb Beatty-Bovett, 3705 Chapin Cir., came forward in opposition to the S. 40th St., Sheridan to Pioneers, widening proj.; traffic will travel at higher speeds; asked Council to lower speed limit to 25 mph; requested coordination of widening projs. with utility projs. so power poles can be buried; requested moratorium on street widening/resurfacing.

Glen Cekal, 1420 "C" St., came forward to state the City does very poor job of maintaining its older neighborhoods.

These matters were taken under advisement.

ORDINANCES - 3RD READING

CHANGE OF ZONE 3234 - APP. OF E.D.C. FOR A CHANGE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT GUNNISON & BRECKENRIDGE NORTH OF THE OLD FLETCHER ALIGNMENT, ½ MILE WEST OF N. 27TH ST. - CLERK read an ordinance, introduced by Jerry Shoecraft, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

SHOECRAFT Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17620**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3224 - AMENDING TITLE 27 OF THE LMC TO ADD A NEW SEC. 27.71.095 TO PERMIT LIGHT WELLS & EGRESS WINDOWS IN REQUIRED YARDS - PRIOR to reading:

COOK Moved to delay action on Bill No. 00-32 to 3/6/00.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read an ordinance, introduced by Jeff Fortenberry, amending Title 27 of the LMC (the Zoning Code) to add a new section 27.71.095 relating to permit light wells & egress windows in required yards, the third time.

AMENDING SEC. 25.03.190 OF THE LMC TO INCREASE THE FEES FOR A HVAC JOURNEYMAN EXAMINATION FROM \$30.00 PER TEST TO \$50.00 PER TEST - CLERK read an ordinance, introduced by Annette McRoy, amending Chapter 25.03 of the LMC (the Uniform Mechanical Code) by amending Sec. 25.03.190 to increase the fee for a HVAC Journeyman examination from \$30.00 per test to \$50.00 per test; & repealing Sec. 25.03.190 of the LMC as hitherto existing, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17621**, is recorded in Ordinance Book 24, Page

RENAMING S. 22ND ST. BETWEEN RIDGELINE DR. & HAZEL SCOTT DR. AS "SHADOW RIDGE RD." - CLERK read an ordinance, introduced by Annette McRoy, changing the name of S. 22nd St. to Shadow Ridge Rd. located between Ridgeline Dr. &

Hazel Scott Dr., the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17622**, is recorded in Ordinance Book 24, Page

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 50.51 ACRES OF PROPERTY GENERALLY LOCATED AT N. 33RD ST. & FOLKWAYS BLVD. (IN CONNECTION W/00R-55, 00R-56, & 00-41) - CLERK read an ordinance, introduced by Annette McRoy, amending Sec. 18 of Ord. 8730, passed 5/17/65, as last amended by Sec. 1 of Ord. 17536, passed 7/2/99; amending Sec. 20 of Ord. 8730, passed 5/17/65, as last amended by Sec. 1 of Ord. 17597, passed 1/24/2000; repealing Sec. 18 of Ord. 8730, passed 5/17/65, as last amended by Sec. 1 of Ord. 17536, passed 7/2/99; & repealing Sec. 20 of Ord. 8730, passed 5/17/65, as last amended by Sec. 1 of Ord. 17597, passed 1/24/2000, as hitherto existing, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17623**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3200 - APP. OF NORTH 33RD STREET L.L.C. FOR A CHANGE FROM R-3 RESIDENTIAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS & I-3 EMPLOYMENT CENTER ON PROPERTY GENERALLY LOCATED AT N. 33RD ST. & FOLKWAYS BLVD. (IN CONNECTION W/00R-55, 00R-56, & 00-40) - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17624**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3233 - APP. OF HAMPTON DEVELOPMENT SERVICES FOR A CHANGE FROM R-3 TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT N. 23RD ST. & FLETCHER AVE. (IN CONNECTION W/00R-54) - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **17625**, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3221 - APP. OF THE CITY FOR A CHANGE FROM P PUBLIC TO I-1 INDUSTRIAL & FROM I-1 INDUSTRIAL TO P PUBLIC ON PROPERTY GENERALLY LOCATED AT N. 6TH & CHARLESTON STS. (IN CONNECTION W/00-45, 00-46, 00R-57, 00R-58, 00R-59, 00R-60, 00R-61) - CLERK read an ordinance, introduced by Annette McRoy, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

The ordinance, being numbered **17626**, is recorded in Ordinance Book 24, Page

APPROVING A BALLPARK FACILITIES LEASE AGRMT. BETWEEN THE CITY & THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA & NEBCO, INC. AS TENANTS FOR CITY OWNED PROPERTY IN THE LINCOLN BALLPARK ADD. FOR A PERIOD OF 35 YEARS WITH AN OPTION TO EXTEND THE LEASE FOR 7 ADDITIONAL TERMS OF 5 YEARS EACH. (IN CONNECTION W/00-44, 00-46, 00R-57, 00R-58, 00R-59, 00R-60, 00R-61) - PRIOR to reading:

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COOK            Moved to accept a Substitute Lease Agreement.  
                 Seconded by Johnson & carried by the following vote:    AYES: Camp,  
Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

CLERK           Read an ordinance, introduced by Annette McRoy, whereas, the City is  
the owner of real property near Memorial Stadium west of I-I80 near 6th &  
Charleston Sts., Lincoln, Lancaster County, Nebraska, the third time.

FORTENBERRY   Moved to pass the ordinance as amended.  
                 Seconded by Johnson & carried by the following vote:    AYES: Camp,  
Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

The ordinance, being numbered **17627**, is recorded in Ordinance Book 24, Page

APPROVING THE TRANSFER OF APPROPRIATIONS RELATED TO THE LINCOLN BALLPARK PROJ.  
IN THE AMOUNT OF \$871,585 FROM RELOCATION OF ENGINEERING SERVICES TO CITY  
TOW-IN LOT (\$200,000) & 901/1001 STORM SEWER (\$671,585); CHANGING FUNDING  
DESCRIPTIONS TO ELIMINATE REVENUE BONDS AS A FUNDING SOURCE; & TRANS-  
FERRING \$270,000 IN APPROPRIATIONS FROM PROJECT CONTINGENCY TO ADDITIONAL  
ROAD & ACCESS NEEDS. (IN CONNECTION W/00-44, 00-45, 00R-57, 00R-58, 00R-  
59, 00R-60, 00R-61) - PRIOR to reading:

COOK            Moved to accept a Substitute Ordinance.  
                 Seconded by Fortenberry & carried by the following vote:    AYES:  
Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

CLERK           Read an ordinance, introduced by Jonathan Cook, approving the  
transfer of \$200,000 in appropriations from the Baseball Partnership Proj.  
Subproject E, number 701090 (Relocation 1001 N. 6th St. Engineering  
Services) to Subproject F, number 701100 (Relocation, City Tow-in Lot); &  
approving the transfer of \$671,585 in appropriations from the Baseball  
Partnership Proj. Subproject E, number 701090 (Relocation 1001 N. 6th St.  
Engineering Services) to a newly created Subproject G for the 901/1001  
storm sewer; changing the funding description of the Baseball Partnership  
Subproject A, number 701050 (Charleston St. & Salt Creek Bridge) from (RB)  
revenue bonds to (SO) Highway Allocation Funds; changing the funding  
description of the Baseball Partnership Subproject B, number 701060  
(Additional Bridge & Road Access Needs for the Baseball Site & 901 Site)  
from (RB) revenue bonds to (SO) Highway Allocation Funds; & approving the  
transfer of \$270,000 in appropriations from the Baseball Partnership Proj.  
Subproject C-4, number 701140 (Contingency Engineering for Entire Proj.)  
to Baseball Partnership Subproject B, number 701060 (Additional Bridge &  
Road Access Needs for the Baseball Site & 901 Site), the third time.

COOK            Moved to pass the ordinance as read.  
                 Seconded by Fortenberry & carried by the following vote: AYES: Camp,  
Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

The ordinance, being numbered **17628**, is recorded in Ordinance Book 24, Page

**PRELIMINARY PLATS, SPECIAL PERMITS & USE PERMITS**

SPECIAL PERMIT 773A - APP. OF LINCOLN HOUSING AUTHORITY TO REVISE & EXPAND A  
PARKING LOT ON PROPERTY GENERALLY LOCATED AT 57TH & "R" STS. - CLERK read  
the following resolution, introduced by Jon Camp, who moved its adoption:

A-80041        WHEREAS, the Lincoln Housing Authority has submitted an application  
designated as Special Permit 773A for authority to revise & expand a  
parking lot on property located at 57th & R Sts., & legally described to  
wit:

The south 30' of the west 162' of the Gillan Rd. right-of-way  
vacated by Ord. 8416; Lots 3, 4, & 5, Block 3, Cotner Heights  
First Add.; & the north 30' of the west 149.82' of the Gillan  
Rd. right-of-way vacated by Ord. 10365;

WHEREAS, the real property adjacent to the area included within the  
site plan for this parking lot will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions  
hereinafter set forth are consistent with the intent & purpose of Title 27  
of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
Lincoln, Nebraska:

That the App. of the Lincoln Housing Authority, hereinafter referred to as "Permittee", to revise & expand a parking lot, on the property legally described above, be & the same is hereby granted under the provisions of Sec. 27.63.170 of the LMC upon condition that construction & operation of said parking lot be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves a parking lot.
2. Before receiving building permits:
  - a. The Permittee must submit a surety, in a form approved by the City Attorney, in the amount of \$5,090 to guarantee the installation of the landscape material & its health & vitality for one year after installation.
  - b. The construction plans must conform to the approved plans.
3. Before occupying the dwelling units all development & construction must be completed in conformance with the approved plans.
4. All privately-owned improvements shall be permanently maintained by the Permittee.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.
6. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, its successors, & assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.
8. The site plan as approved with this resolution voids & supersedes all previously approved site plans.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1824 - APP. OF TRG CONSULTING TO CONSTRUCT A DOMICILIARY CARE FACILITY OF 98 UNITS FOR 102 RESIDENTS ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 56TH ST. & PIONEERS BLVD. (IN CONNECTION W/00-47) - PRIOR to reading:

CAMP Moved to delay action on Bill 00R-65 for 1 week to 3/6/00.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1423C - APP. OF DRU, GUY, & DAVID LAMMLE TO AMEND THE HIMARK ESTATES C.U.P. TO ADD LAND, INCREASE THE ASSIGNED NUMBER OF DWELLING UNITS FROM 240 TO 300 MULTI-FAMILY DWELLING UNITS, & TO APPROVE THE SITE PLAN FOR THE MULTIPLE FAMILY AREA, ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 84TH ST. & OLD CHENEY RD. - Pub. Hearing cont'd to 3/13/2000 on 2/22/00.

USE PERMIT 123 - APP. OF NORTH 33RD STREET L.L.C. TO DEVELOP 136,000 SQ. FT. OF RETAIL SPACE, 204,000 SQ. FT. OF OFFICE SPACE, & 751,000 SQ. FT. OF INDUSTRIAL/WAREHOUSE SPACE, ON PROPERTY GENERALLY LOCATED AT N. 33RD ST. & FOLKWAYS BLVD. (IN CONNECTION W/00-40, 00-41, & 00R-56) - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80050 WHEREAS, North 33rd Street, L.L.C. has submitted an application in accordance with Secs. 27.31.100 & 27.51.100 of the LMC designated as Use Permit 123 for authority to construct 136,000 sq. ft. of retail space, 204,000 sq. ft. of office space, & 751,000 sq. ft. of industrial/warehouse

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space, on property generally located at north 33rd Street & Folkways Blvd., & legally described to wit:

Outlot "A", King Ridge 1st Add., Lot 9 I.T., Lot 55 I.T., Lot 64 I.T., a portion of Lot 66 I.T., & Lot 56 I.T., all located in the N1/2 & the SE1/4 of Sec. 6, T10N, R7E of the 6th P.M., Lancaster County, Nebraska, & more particularly described as follows:

Beginning at the northwest corner of said Lot 9 I.T., said point being the northwest corner of the NE1/4 of said Sec. 6 & the true point of beginning; thence on an assumed bearing of south 89 degrees 32 mins. 01 secs. east along the north line of said Lots 9 I.T., 55 I.T., & 56 I.T., said line being the north line of said NE1/4, a distance of 2081.80' to the northeast corner of said Lot 56 I.T.; thence south 19 degrees 48 mins. 14 secs. west along the east line of said Lot 56 I.T., a distance of 308.00' to a point of deflection; thence south 27 degrees 40 mins. 14 secs. west along the east line of said Lot 56 I.T., a distance of 191.00' to a point of deflection; thence south 14 degrees 39 mins. 14 secs. west along the east line of said Lot 56 I.T., a distance of 430.00' to a point of deflection; thence south 20 degrees 17 mins. 14 secs. west, a distance of 430.00' to a point of deflection; thence south 25 degrees 27 mins. 14 secs. west along the east line of said Lot 56 I.T., a distance of 216.00' to a point of deflection; thence south 18 degrees 58 mins. 46 secs. east along the east line of said Lot 56 I.T., a distance of 300.00' to a point of deflection; thence south 35 degrees 32 mins. 46 secs. east along the east line of said Lot 56 I.T., a distance of 260.00' to a point of deflection; thence south 44 degrees 52 mins. 46 secs. east along the east line of said Lot 56 I.T., a distance of 340.00' to a point of deflection; thence south 25 degrees 12 mins. 46 secs. east along the east line of said Lot 56 I.T., a distance of 238.00' to a point of deflection; thence south 15 degrees 52 mins. 46 secs. east along the east line of said Lot 56 I.T., a distance of 131.40' to the southeast corner of said Lot 56 I.T.; thence south 89 degrees 20 mins. 18 secs. west along the south line of said NE1/4, a distance of 247.88' to a point; thence south 14 degrees 09 mins. 24 secs. east, a distance of 45.07' to a point; thence south 30 degrees 44 mins. 24 secs. east, a distance of 112.47' to a point; thence south 18 degrees 11 mins. 27 secs. east, a distance of 425.18' to a point; thence south 89 degrees 21 mins. 45 secs. west, a distance of 612.60' to a point; thence north 19 degrees 52 mins. 12 secs. west, a distance of 110.44' to a point; thence south 44 degrees 39 mins. 07 secs. west, a distance of 86.32' to a point; thence north 45 degrees 20 mins. 53 secs. west, a distance of 40.21' to a point; thence south 44 degrees 39 mins. 07 secs. west, a distance of 11.82' to a point; thence south 20 degrees 54 mins. 33 secs. west, a distance of 166.64' to a point; thence south 24 degrees 58 mins. 57 secs. west, a distance of 189.53' to a point; thence south 38 degrees 28 mins. 38 secs. west, a distance of 441.81' to a point; thence south 33 degrees 31 mins. 48 secs. west, a distance of 211.58' to a point of intersection with the south line of said Lot 66 I.T.; thence south 89 degrees 24 mins. 30 secs. west along the south line of said Lots 66 I.T. & 64 I.T., said line being the south line of the NW1/4 of said SE1/4, a distance of 757.17' to the southwest corner of said Lot 64 I.T.; thence north 16 degrees 42 mins. 23 secs. west along the west line of said Lot 64 I.T., a distance of 342.29' to a point of curvature; thence along a curve in a clockwise direction having a radius of 1000.00', arc length of 309.56', delta angle of 17 degrees 44 mins. 12 secs., a chord bearing of north 07 degrees 50 mins. 17 secs. west, & a chord length of 308.33' to a point of

tangency; thence north 01 degrees 01 mins. 49 secs. east along the west line of said Lot 64 I.T., said line being the west line of the NW1/4 of said SE1/4, a distance of 690.46'; thence north 01 degrees 02 mins. 06 secs. east along the west line of said Lot 9 I.T.; said line being the west line of said NE1/4, a distance of 42.52' to the southeast corner of said Outlot "A"; thence south 89 degrees 20 mins. 39 secs. west along the south line of said Outlot "A", a distance of 50.02' to the southwest corner of said Outlot "A"; thence north 01 degrees 02 mins. 06 secs. east along the west line of said Outlot "A", a distance of 1702.88' to a point of curvature; thence along a curve in a counterclockwise direction having a radius of 950.00', arc length of 144.20', delta angle of 08 degrees 41 mins. 49 secs., a chord bearing of north 03 degrees 18 mins. 49 secs. west along the west line of said Outlot "A", & a chord length of 144.06' to a point; thence south 65 degrees 00 mins. 33 secs. west along the south line of said Outlot "A", a distance of 16.09' to a point of deflection; thence north 24 degrees 59 mins. 27 secs. west along the west line of said Outlot "A", a distance of 80.00' to a point of deflection; thence north 65 degrees 00 mins. 33 secs. east along a north line of said Outlot "A", a distance of 22.71' to a point of deflection; thence north 21 degrees 15 mins. 03 secs. east along the west line of said Outlot "A", a distance of 40.86' to a point of deflection; thence along a curve in a clockwise direction having a radius of 1050.00'; arc length of 137.43', delta angle of 07 degrees 29 mins. 58 secs., a chord bearing of north 17 degrees 30 mins. 49 secs. west along the west line of said Outlot "A", & a chord length of 137.34' to a point of tangency; thence north 13 degrees 45 mins. 50 secs. west along the west line of said Outlot "A", a distance of 476.53' to the northwest corner of said Outlot "A"; thence south 89 degrees 32 mins. 57 secs. east along the north line of said Outlot "A"; said line being the north line of said NW1/4, a distance of 241.37' to the true point of beginning; said tract contains a calculated area of 155.40 acres, or 6,769,342.64 sq. ft. more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this development of retail, office, & industrial space will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the App. of North 33rd Street, L.L.C., hereinafter referred to as "Permittee", to construct 136,000 sq. ft. of retail space, 204,000 sq. ft. of office space, & 751,000 sq. ft. of industrial/warehouse space, on the property legally described above be & the same is hereby granted under the provisions of Secs. 27.31.100 & 27.51.100 of the LMC upon condition that construction & operation of said retail, office, & industrial space be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves 751,000 sq. ft. of warehouse/industrial space, 204,000 sq. ft. of office space, 136,000 sq. ft. of retail space, & a reduction in the front yard setbacks adjacent to Lot 14, Block 2, Lot 3, Block 4, & Lot 2, Block 3, to accommodate dedication of additional right-of-way for right turn lanes, provided a minimum setback of 100' from the centerline of the road is maintained, as shown on the approved site plan.

2. Before receiving building permits:

- a. The Permittee must submit a revised & reproducible final plan.
- b. The construction plans shall comply with the approved plans.

- c. Final plats within the area of this Use Permit must be approved by the City.
  - d. A permanent conservation easement has been established over the wetlands in Outlot "A" & over all of Outlot "B", & "C", or the wetlands on Outlot "A" & all of Outlots "B" & "C" have been deeded to a conservation organization or resource agency.
3. Before occupying the dwelling units all development & construction must be completed in conformance with the approved plans.
  4. All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.
  6. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, its successors & assigns. The building official shall report violations to the City Council which may revoke this use permit or take such other action as may be necessary to gain compliance.
  7. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of this use permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving this use permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ACCEPTING & APPROVING THE PRE. PLAT OF LANDMARK CORPORATE CENTER FOR 40 COMMERCIAL/INDUSTRIAL LOTS & THREE OUTLOTS WITH ASSOCIATED WAIVERS ON PROPERTY GENERALLY LOCATED AT N. 33RD ST. & FOLKWAYS BLVD. (IN CONNECTION W/00-40, 00-41, & 00R-56) - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80051 WHEREAS, North 33rd Street, L.L.C. has submitted the Pre. Plat of Landmark Corporate Center for acceptance & approval; &

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat & made recommendations as contained in the letter dated January 31, 2000, which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Pre. Plat of Landmark Corporate Center, located at N. 33rd St. & Folkways Boulevard, as submitted by N. 33rd St., L.L.C., is hereby accepted & approved, subject to the terms & conditions set forth in Exhibit "A", which is attached hereto & made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship & the following modifications to the subdivision requirements are therefore approved:

1. The requirement of the Design Standards for storm sewers that open channels shall have a paved low flow liner is waived to allow a natural preservation of the wetland areas.
2. The requirement of Sec. 26.15.020(b)(7) of the LMC & the Design Standards for Storm Sewers that provisions shall be made to limit the peak rate of storm water discharged from the subdivision is waived.
3. The requirement of Sec. 26.23.030 of the LMC that where there are no adjoining subdivisions in existence, proper projection of streets from the subdivision into adjacent land shall be provided is waived to the undeveloped land to the east of this subdivision.
4. The requirement of Sec. 26.23.130 of the LMC that block lengths shall not exceed 1,320' is waived along Block 2 & Block 4.



5. The requirement of Sec. 26.23.140(g) that all lots front upon & take access to a public street is waived for Outlot "B".

6. The requirements of Secs. 26.23.095 & 26.26.020 of the LMC that sidewalks be constructed on both sides of all streets, is waived along the east side of Enterprise Circle, the east side of Ox Bow Circle, one side of Folkways Circle, the south side of Eastpark Circle, the south side of Westpark Circle & the south side of Landmark Circle only.

7. The requirement of Sec. 26.23.080 of the LMC that the maximum length of a dead end street shall not exceed 1,000' is waived for Enterprise Circle & Ox Bow Circle.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1828 - APP. OF HAMPTON DEVELOPMENT SERVICES TO DEVELOP AN ELDERLY CARE FACILITY WITH 140 DWELLING UNITS, AN ASSISTED LIVING FACILITY FOR 205 PERSONS, & A CHILD CARE FACILITY FOR 120 CHILDREN, ALONG WITH A WAIVER OF DESIGN STANDARDS TO INCREASE THE HEIGHT LIMIT FROM 35' TO 50' & A REDUCTION OF THE FRONT YARD SETBACKS. (IN CONNECTION W/00-43) - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80052 WHEREAS, Hampton Development Services has submitted an application designated as Special Permit 1828 for authority to develop an elderly care facility with 140 dwelling units, an assisted living facility for 205 persons, & a child care facility for 120 children, on property located at N. 23rd St. & Fletcher Avenue, & legally described to wit:

Outlot "A", Block 1, North Creek 1st Add., located in the SE1/4 of Sec. 36, T11N, R6E of the 6th P.M., Lincoln, Lancaster County, Nebraska,

WHEREAS, the real property adjacent to the area included within the site plan for this development of elderly & child care facilities will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the App. of Hampton Development Services, hereinafter referred to as "Permittee", to develop an elderly care facility with 140 dwelling units, an assisted living facility for 205 persons, & a child care facility for 120 children, on the property legally described above, be & the same is hereby granted under the provisions of Secs. 27.63.210, 27.63.530, & 27.63.070 of the LMC, respectively, upon condition that construction & operation of said facilities be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves:

- a. 140 elderly dwelling units, assisted care facilities for 205 persons & an early childhood care facility for 120 children.
- b. An adjustment of the maximum height requirement of 35' to allow a maximum height of 50' for the elderly/retirement building located on Lot 4.
- c. An adjustment of the front yard setback requirements to provide a 15' setback along Telluride Circle, a 20' setback along Telluride Drive & north 23rd St. a 25' setback along Fletcher Avenue (except as shown on the plan), a 30' rear yard setback to the wetland east & a minimum 30' setback along the south property line, & to further provide that in all situations, except along Telluride Circle & adjacent to Outlot "C", where the building height is greater than 35', the building setback to that section of the building shall be equal to the building height.

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2. All elderly dwelling units shall have at least one occupant of age 60 years or older.
3. Before receiving building permits:
  - a. The Permittee must submit a revised & reproducible final plan.
  - b. The Permittee shall provide an elevation of the early childhood care facility for review & approval of the Director of Planning for compatibility of design in relation to adjacent existing or future residences.
4. Before occupying the dwelling units all development & construction must be completed in conformance to the approved plans.
5. All privately-owned improvements must be permanently maintained by the owner or an appropriately established homeowners association approved by the city Attorney.
6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.
7. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, its successors, & assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
8. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1822 - APP. OF NEBCO, INC. FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AT THE LINCOLN BALLPARK GENERALLY LOCATED SOUTH OF CHARLESTON ST., WEST OF N. 6TH ST. (IN CONNECTION W/00-44, 00-45, 00-46, 00R-59, 00R-60, 00R-61) - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80054 WHEREAS, NEBCO, Inc. has submitted an application designated as Special Permit 1822 for authority to sell alcoholic beverages for consumption on the premises generally located at Lincoln Baseball Stadium, located south of Charleston St., west of N. 6th St., legally described as:

A portion of the State of Nebraska Interstate I-180 Right-of-Way, a portion of the Missouri Pacific Railroad Right-of-Way, & a portion of Lots 1 & 2, Blizzard Place, located in the NW 1/4 of Sec. 23, T10N, R6E, Lincoln, Lancaster County, Nebraska. General location of the Baseball Stadium is: Commencing at the Southeast Corner of said NW1/4, Thence on an assumed bearing of North 00 Degrees 13 Minutes 40 Seconds East along the east line of said NW1/4, a distance of 599.93' to a point, Thence North 89 Degrees 46 Minutes 20 Seconds West, a distance of 308.76', said point being the true point of beginning, Thence South 65 Degrees 57 Minutes 31 Seconds West, a distance of 458.46' to a point, Thence North 24 Degrees 01 Minutes 16 Seconds West, a distance of 55.00' to a point, Thence South 65 Degrees 58 Minutes 44 Seconds West, a distance of 72.03' to a point, Thence North 24 Degrees 01 Minutes 16 Seconds West, a distance of 27.33' to a point, Thence North 65 Degrees 58 Minutes 44 Seconds East, a distance of 10.03' to a point, Thence North 24 Degrees 01 Minutes 16 Seconds West, a distance of 100.67' to a point, Thence South 66 Degrees 03 Minutes 31 Seconds West, a distance of 65.00' to a point, Thence North 24 Degrees 01 Minutes 39 Seconds West, a distance of 37.58' to a point, Thence North 65 Degrees 58 Minutes 44

Seconds East, a distance of 20.67' to a point, Thence North 24 Degrees 01 Minutes 16 Seconds West, a distance of 220.75' to a point, Thence North 20 Degrees 58 Minutes 44 Seconds East, a distance of 121.50' to a point, Thence North 65 Degrees 58 Minutes 44 Seconds East, a distance of 181.42' to a point, Thence South 24 Degrees 01 Minutes 16 Seconds East, a distance of 24.94' to a point, Thence North 65 Degrees 55 Minutes 19 Seconds East, a distance of 39.33' to a point, Thence South 24 Degrees 01 Minutes 16 Seconds East, a distance of 2.52' to a point of curvature, Thence along a curve in a counter clockwise direction having a radius of 22.58', arc length of 35.47', delta angle of 90 Degrees 00 Minutes 00 Seconds, a chord bearing of South 69 Degrees 01 Minutes 16 Seconds East, & a chord length of 31.94' to a point of tangency, Thence North 65 Degrees 58 Minutes 44 Seconds East, a distance of 227.42' to a point, Thence South 24 Degrees 01 Minutes 16 Seconds East, a distance of 41.65' to a point, Thence North 65 Degrees 58 Minutes 44 Seconds East, a distance of 18.41' to a point, Thence along a curve in a counter clockwise direction having a radius of 2516.15', arc length of 408.30', delta angle of 09 Degrees 17 Minutes 51 Seconds, a chord bearing of South 22 degrees 22 Minutes 17 Seconds East, & a chord length of 407.85' to a point of tangency, Thence South 27 Degrees 01 Minutes 13 Seconds East, a distance of 27.88' to the true point of beginning, said tract contains a calculated area of 6.18 acres, or 269,042.72 sq. ft., more or less.

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the App. of NEBCO, Inc., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption on the premises on property legally described above be & the same is hereby granted under the provisions of Sec. 27.63.680 of the LMC upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves the sale of alcoholic beverages for consumption on the premises only.

2. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, their successors, & assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

3. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

ACCEPTING & APPROVING THE PRE. PLAT OF LINCOLN BALLPARK WITH WAIVERS OF THE SUBDIVISION REQUIREMENTS FOR SIDEWALKS, STREET TREES, ON-SITE STORMWATER DETENTION, & A 2% APPROACH GRADE AT THE SALT CREEK BRIDGE ON PROPERTY GENERALLY LOCATED SOUTH OF CHARLESTON ST., WEST OF N. 6TH ST. (IN CONNECTION W/00-44, 00-45, 00-46, 00R-57, 00R-58, 00R-60, 00R-61) - PRIOR to reading:

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JOHNSON Moved to amend to amend Bill 00R-59 as follows: on page 1, line 20, insert the following after "the east side Sun Valley Blvd.,": "the north side of Salt Creek Bridge,".

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

CLERK Read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80055 WHEREAS, the City of Lincoln, Nebraska has submitted the Pre. Plat of Lincoln Ballpark Add. for acceptance & approval; &

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat & made recommendations as contained in the letter dated January 14, 2000, which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Pre. Plat of Lincoln Ballpark Add., generally located at between Sun Valley Blvd. & N. 6th St., adjacent to Charleston St., as submitted by the City of Lincoln, is hereby accepted & approved, subject to the terms & conditions set forth in Exhibit "A", which is attached hereto & made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship & the following modifications to the subdivision requirements are therefore approved:

1. The requirement of Sec. 26.23.095 & Sec. 26.27.020 of the LMC that sidewalks be installed along both sides of all streets is hereby waived along the east side Sun Valley Blvd., the west side of N. 6th St., the south side of Charleston St., & both sides of N. 4th St.

2. The requirement of Sec. 26.27.090 of the LMC that street trees be planted along both sides of all public streets is hereby waived along the bridge over Salt Creek & along Sun Valley Blvd.

3. The requirement of Sec. 26.23.105 & the Subdivision Design Standards for Storm Water of the LMC that storm water runoff be managed on site, is waived.

4. The Subdivision Design Standards for Urban Public Streets requiring a maximum 2% approach grade of a street is waived to permit the approach grade from the Salt Creek Bridge to the intersection of Sun Valley Blvd. to exceed 2%.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

**PETITIONS & COMMUNICATIONS**

THE FOLLOWING ARE TO BE RE-REFERRED TO THE PLANNING DEPT.:

Special Permit 1818 - App. of Red Star Auto to park & display vehicles in sideyard & frontyard for existing auto sales at 700 W. "O" St.

Change of Zone 3232 - App. of Mike Rierden for a text change to LMC Sec. 27.63.700.

Change of Zone 3237 - App. of Jon Carlson for various text changes to Title 27 of the LMC.

THE FOLLOWING ARE TO BE REFERRED TO THE PLANNING DEPT.:

Change of Zone 3240 - App. of High Pointe LLC for a change from R-3 to H-3 on property at N. 27th St. & I-80.

Change of Zone 3241 - App. of Pearle Finigan for a change from AG to AGR on property at 84th & Waverly.

**REPORTS TO CITY OFFICERS**

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON FEB. 14, 2000 - CLERK presented said report which was placed on file in the Office

of the City Clerk.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80048 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 02/18/00)

Introduced by Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80049 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 02/11/00)

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX DUE FOR THE MONTH OF JAN., 2000  
FROM: Comdata Telecomms., Tri-M Comms., Stormtel Inc., RSL Com USA, Equality Inc., Incomnet Comms., Operator Comms., Worldtel Services, Airtime SMR, D & D Comms., Network Internat'l, Nextel West Corp., NOS Comms., Long Distance of Michigan, LDM Systems, Glyphics Comms., GTC Telecom, UniDial Comms., Nextlink Long Distance Services, NOSVA Ltd. Partnership, Global Telephone Corp., Primus Telecomms., Trans National, Affinity Network, Network Billing Systems, Globalcom, GST Net, Telco Development Group, Atlas Comms., & Western Union Comms - CLERK presented said reports which were placed on file in the Office of the City Clerk. (20)

ACCEPTING THE REPORT OF NEW & PENDING TORT CLAIMS AGAINST THE CITY & APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF FEB. 1 THROUGH 15, 2000 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80043 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated February 16, 2000, of various new & pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED</u>	
Sharon L. Johnson	NAS*	Sheryal A. Slobaszerski	\$28,000.00
Thomas Greaser	\$199.99	Marcia Carroll	48.88
Douglas G. Nelson	NAS*		
Dawn Wesely	NAS*		
Ruth Jensen	NAS*		
Dennis G. Nelson	87.00		
Matthew J. Jelik	209.20		
Sidney E. Vann	NAS*		
Casey Marie Harker	NAS*		
Sam Manzitto	883.00		

\* No amount specified.

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jon Camp

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Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

OTHER RESOLUTIONS

MAN. APP. OF DANIEL C. SMITH FOR B & R STORES, INC. DBA RUSS'S BISHOP HEIGHTS IGA AT 4200 S. 27TH ST. - CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80039 WHEREAS, B & R Stores, Inc. dba "Russ's Bishop Heights IGA" located at 4200 S. 27th St., Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, & now requests that Daniel C. Smith be named manager;

WHEREAS, Daniel C. Smith appears to be a fit & proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that Daniel C. Smith be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$37,355 FROM THE OPERATION OF KENO LOTTERY FOR VARIOUS HUMAN SERVICES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80040 WHEREAS, Resolution A-75378 provides that five percent of the gross proceeds realized by the City of Lincoln from the operation of a keno lottery shall be designated for such human services as may be recommended & approved by the Joint Budget Committee, City Council & Lancaster Board of Commissioners; &

WHEREAS, the Joint Budget Committee has recommended that the City Council & Lancaster County Board of Commissioners approve the designation of \$37,355 from said gross funds for the human services listed in Attachment "A" (Keno Prevention Fund Round 12) attached hereto & incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

The designation of the \$37,355 from gross funds from the operation of keno lottery for the human services listed in Attachment "A" is hereby approved & the Mayor is authorized to enter into grant contracts with Lancaster County, Nebraska & the respective agencies providing said human services.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN INTERLOCAL AGRMT. BETWEEN THE CITY & COUNTY FOR HEALTH CARE CONSULTING SERVICES & THE PREPARATION OF REQUESTS FOR PROPOSALS FOR HEALTH CARE COVERAGE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80042 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Agrmt. between the City of Lincoln & the County of Lancaster, Nebraska to approve the agreement with Marsh, Inc. for provision of consulting services in obtaining proposals for the City & County health care coverage, a copy of which is attached hereto & marked as Attachment "A" & made a part hereof by reference, is hereby approved & the Mayor is authorized to execute said Interlocal Agrmt. on behalf of the City.

The City Clerk is directed is to return one fully executed copy of said Interlocal Agrmt. to the Lancaster County Clerk's Office for filing

with the County & the remaining originals to Bill Kostner, Risk Manager for distribution to Marsh, Inc. & other interested parties.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING THIRD WORLD OFORAH & SCOTT SULLIVAN TO THE URBAN DESIGN COMMITTEE FOR TERMS EXPIRING FEB. 1, 2001 & FEB. 1, 2002 RESPECTIVELY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80044 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Third World Oforah & Scott Sullivan to the Urban Design Committee for terms expiring Feb. 1, 2001 & Feb. 1, 2002, respectively, is hereby approved.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING DENNIS SCHEER, KIM TODD, PHILIP PERRY, JOANNE KISSEL, & GORDON SCHOLZ TO THE URBAN DESIGN COMMITTEE FOR TERMS EXPIRING FEB. 1, 2001, FEB. 1, 2002, FEB. 1, 2002, FEB. 1, 2003, & FEB. 1, 2003 RESPECTIVELY - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80045 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of the following persons to the Urban Design Committee for terms expiring as set out below, is hereby approved.

<u>Name:</u>	<u>Term Expires:</u>
Dennis Scheer	February 1, 2001
Kim Todd	February 1, 2002
Philip Perry	February 1, 2002
Joanne Kissel	February 1, 2003
Gordon Scholz	February 1, 2003

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING THE N. 33RD ST. INFRASTRUCTURE AGRMT. BETWEEN THE CITY & NORTHRIDGE HEIGHTS PARTNERS, RIDGE DEVELOPMENT CO., LANCASTER COUNTY SCHOOL DIST. 001, KNOX ASSOCIATES, SUPERIOR POINTE PARTNERS, NORTH THIRTY-THIRD L.L.C., & DENNIS R. SCHWORER FOR THE DESIGN & CONSTRUCTION OF THE EXTENSION OF N. 33RD ST. TO ITS TERMINUS - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80046 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the N. 33rd St. Infrastructure Agrmt. between the City & Northridge Heights Partners, Ridge Development Co., Lancaster County School Dist. 001, Knox Associates, Superior Pointe Partners, North Thirty-Third L.L.C., & Dennis R. Schworer, for the design & construction of the extension of N. 33rd St. to its Terminus, a copy of which is attached hereto, marked as Attachment "A" & made a part hereof by reference, is hereby approved & the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is directed to return the fully executed copies of said Contract to the Rick Peo for transmittal to the parties.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., MARCH 13, 2000 AT 1:30 P.M. ON THE REQUEST OF DEMETRIOS & KIMBE MEARES DBA YIA YIA'S PIZZA/CLUB 1427 FOR A DELETION TO THEIR LICENSED PREMISE AT 1423-1427 "O" ST. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-80047 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., March 13, 2000 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the

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Request of Demetrios & Kimbe Meares dba Yia Yia's Pizza/Club 1427 for a deletion to their licensed premise at 1423-1427 "O" St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

COMP. PLAN AMENDMENT 94-46 - AMENDING THE LAND USE PLAN TO CHANGE LAND USE FROM PARKS & OPEN SPACE & INDUSTRIAL TO PUBLIC & SEMI-PUBLIC & AMENDING ASSOCIATED TEXT ON PROPERTY GENERALLY LOCATED AT N. 6TH & CHARLESTON STREETS. (IN CONNECTION W/00-44, 00-45, 00-46, 00R-58, 00R-59, 00R-60, 00R-61) - CLERK read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80053 WHEREAS, the Planning Director has made application to amend the Lincoln City-Lancaster County Comprehensive Plan (1994) to change the future land use of property generally located at N. 6th & Charleston St. from "Parks & Open Space" & "Industrial" to "Public/Semi-Public" & to amend associated text.

WHEREAS, the Lincoln City - Lancaster County Planning Commission has recommended approval of said proposed change.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Lincoln City-Lancaster County Comprehensive Plan (1994) be & the same is hereby amended as follows:

1. Revise Figure 16 (Lincoln's Land use Plan, page 39) to change the Future Land Use of property from "Parks & Open Space" & "Industrial" to "Public/Semi Public" as shown on the map which is attached hereto as Attachment "A".

2. Amend Chapter VI, Community Facilities, Sec. A.3.a. Park Classification & location, by amending the first paragraph of subsection 5) Special Purpose Facilities on page 158 to read as follows:

5) Special Purpose Facilities

Description: Chief feature is uniqueness. These are our Pinewood Bowl, Pioneers Park Nature Center, Hyde Observatory, Woods Tennis Bubbles, Folsom Children's Zoo, Camp A Way, Sherman Field, & the Lincoln Baseball/Softball Complex.

3. Amend Chapter VI, Community Facilities, Sec. A.4 Other Public, Semipublic & Private Facilities by adding a new paragraph between the bottom two paragraphs to the text on page 163 to read as follows:

The City of Lincoln, the University of Nebraska-Lincoln, & Nebco, Inc. have created a public-private partnership to develop a baseball/ softball complex for minor league baseball, University of Nebraska men's baseball & women's softball, & other local, regional & state tournaments.

BE IT FURTHER RESOLVED that any other references in said plan which may be affected by the above-specified amendment be, & they hereby are amended to conform with such specific amendment.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

APPROVING AMENDMENTS TO THE BALLPARK INTERLOCAL AGRMT. & MEMORANDUM OF AGRMT. BETWEEN THE CITY, BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, THE LINCOLN-LANCASTER COUNTY RAILROAD TRANSPORTATION DISTRICT & NEBCO, INC. TO CORRELATE WITH THE BALLPARK LEASE & CONSTRUCTION AGREEMENTS BY MOVING A REFERENCE TO PARKING, CHANGE A REFERENCE TO ADMINISTRATIVE AGREEMENTS, & DELETING A REFERENCE TO THE COROLLARY SITE. (IN CONNECTION W/00-44, 00-45, 00-46, 00R-57, 00R-58, 00R-59, 00R-61) - PRIOR to reading:

COOK Moved to accept a Substitute Agreement.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

CLERK Read the following resolution, introduced by Jerry Shoecraft, who



moved its adoption:

A-80056 WHEREAS, the City is the owner of real property near Memorial Stadium west of Interstate 180 near 6th & Charleston Sts., Lincoln, Lancaster County, Nebraska.

WHEREAS, the Board of Regents of the University of Nebraska, a public body corporate & governing body of the University of Nebraska-Lincoln (University), the City of Lincoln, Nebraska, a municipal corporation, (City), & the Lincoln - Lancaster County Railroad Transportation Safety Dist. (RTSD) have previously entered into the Lincoln Ballpark Proj. Interlocal Agrmt. dated October 15, 1999 (A-79786), as the same may be amended to cooperate with one another for the public & corporate benefit of the parties by promoting the educational, recreational & economic development opportunities that flow from the operation of a professional baseball team in addition to the University NCAA division I baseball & softball teams, by providing acquisition & removal of railroad tracks & grade crossings, & by providing for the acquisition of right-of-way & construction of protective devices, pedestrian & related improvements for RTSD purposes related to the Project.

WHEREAS, the City pursuant to law & in furtherance of the Lincoln Ballpark Interlocal Agrmt., as amended desires to enter into a Construction Agrmt. for the development & construction of the Ballpark Proj. on such City owned land.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the attached construction agreement by & between the City & the Board of Regents of the University of Nebraska, a public body corporate & governing body of the university of Nebraska -- Lincoln (University) & NEBCO Inc., a Nebraska corporation (NEBCO) is hereby approved & the Mayor is hereby authorized to execute & administer the same as provided therein.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

APPROVING A CONSTRUCTION AGRMT. AUTHORIZED BY THE BALLPARK INTERLOCAL AGRMT. FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA & NEBCO, INC. TO PAY FOR & CONSTRUCT BALLPARK FACILITIES & FOR THE CITY TO PAY FOR & CONSTRUCT RELATED PUBLIC WORKS FACILITIES FOR THE LINCOLN BALLPARK PROJ. (IN CONNECTION W/00-44, 00-45, 00-46, 00R-57, 00R-58, 00R-59, 00R-60) - PRIOR to reading:

CAMP Moved to accept a Substitute Agreement.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

CLERK Read the following resolution, introduced by Jerry Shoecraft, who moved its adoption:

A-80057 WHEREAS, the City is the owner of real property near Memorial Stadium west of Interstate 180 near 6th & Charleston Sts., Lincoln, Lancaster County, Nebraska.

WHEREAS, the Board of Regents of the University of Nebraska, a public body corporate & governing body of the University of Nebraska-Lincoln (University), the City of Lincoln, Nebraska, a municipal corporation, (City), & the Lincoln - Lancaster County Railroad Transportation Safety Dist. (RTSD) have previously entered into the Lincoln Ballpark Proj. Interlocal Agrmt. dated October 15, 1999 (A-79786), as the same may be amended to cooperate with one another for the public & corporate benefit of the parties by promoting the educational, recreational & economic development opportunities that flow from the operation of a professional baseball team in addition to the University NCAA division I baseball & softball teams, by providing acquisition & removal of railroad tracks & grade crossings, & by providing for the acquisition of right-of-way & construction of protective devices, pedestrian & related improvements for RTSD purposes related to the Project.

WHEREAS, the City pursuant to law & in furtherance of the Lincoln Ballpark Interlocal Agrmt., as amended desires to enter into a Construction Agrmt. for the development & construction of the Ballpark

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Proj. on such City owned land.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska as follows:

That the attached construction agreement by & between the City & the Board of Regents of the University of Nebraska, a public body corporate & governing body of the University of Nebraska -- Lincoln (University) & NEBCO Inc., a Nebraska corporation (NEBCO) is hereby approved & the Mayor is hereby authorized to execute & administer the same as provided therein.

Introduced by Jerry Shoecraft

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

ORDINANCES - 1ST & 2ND READING

AMENDING SECS. 2.76.150 & 2.76.160 OF THE LMC TO REMOVE THE REQUIREMENT THAT PAY INCREASES FOR EXCEPTIONAL SERVICE BE APPROVED BY THE MAYOR & TO PROVIDE THAT THE DIRECTOR OF PERSONNEL APPROVE SUCH PAY INCREASES WITH ANNUAL REPORTS SENT TO THE MAYOR - Clerk read an ordinance, introduced by Camp, amending Secs. 2.76.150 & 2.76.160 of the LMC to remove the requirement that pay increases for exceptional service be approved by the Mayor & to provide that the Director of Personnel annually send written reports to the Mayor listing employees approved for exceptional service pay increase; & repealing Secs. 2.76.150 & 2.76.160 of the LMC as hitherto existing, the first time.

AMENDING SEC. 3 OF ORD. 17394 RELATING TO THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "C" BY CREATING THE JOB CLASSIFICATION OF "ENVIRONMENTAL LABORATORY SPECIALIST II"; CHANGING THE JOB CLASSIFICATION TITLE OF "ENVIRONMENTAL TECHNICIAN SUPERVISOR" TO "ENVIRONMENTAL SPECIALIST III"; CHANGING THE JOB CLASSIFICATION TITLE OF "UTILITY PLANT EQUIPMENT SUPERVISOR" TO "FACILITY MAINTENANCE SUPERVISOR"; & CHANGING THE CLASS CODE & TITLE OF "5318 - ENVIRONMENTAL LABORATORY TECHNICIAN" TO "5290 - ENVIRONMENTAL LABORATORY SPECIALIST I" - Clerk read an ordinance, introduced by Camp, amending Sec. 3 of Ord. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "C" by creating the job classification of "Environmental Laboratory Specialist II"; changing the job classification title of "Environmental Technician Supervisor" to "Environmental Specialist III"; changing the job classification title of "Utility Plant Equipment Supervisor" to "Facility Maintenance Supervisor"; & changing the class code & title of "5318 - Environmental Laboratory Technician" to "5290 - Environmental Laboratory Specialist I", the first time.

AMENDING SEC. 5 OF ORD. 17394 RELATING TO THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "N" BY CREATING THE JOB CLASSIFICATIONS OF "MAINTENANCE OPERATOR" & "MAINTENANCE OPERATOR II"; CHANGING THE JOB CLASSIFICATION TITLE OF "ENVIRONMENTAL TECHNICIAN I" TO "ENVIRONMENTAL SPECIALIST I"; & CHANGING THE JOB CLASSIFICATION TITLE OF "ENVIRONMENTAL TECHNICIAN II" TO "ENVIRONMENTAL SPECIALIST II" - Clerk read an ordinance, introduced by Camp, amending Sec. 5 of Ord. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "N" by creating the job classifications of "Maintenance Operator I" & "Maintenance Operator II"; changing the job classification title of "Environmental Technician I" to "Environmental Specialist I"; & changing the job classification title of "Environmental Technician II" to "Environmental Specialist II", the first time.

AUTHORIZING THE ISSUANCE OF SMALL TAX ALLOCATION BONDS IN MULTIPLE SERIES - Clerk read an ordinance, introduced by Camp, authorizing the Finance Director or the City Auditor to cause to be issued, from time to time, City of Lincoln, Nebraska, Small Issue Tax Allocation Bonds ("Bonds") in multiple series for the purpose of paying the costs of constructing,

reconstructing, improving, extending, equipping or furnishing improvements within one or more of the City's present & future Community Development Law Improvement Projects & the acquisition of parcels of real estate and/or interests in real estate in connection therewith (Each a "Project"); generally describing the form & certain of the details of the bonds; pledging certain tax allocation revenues to the payment of the principal of & interest on the bonds as the same become due & to carry out all other covenants of this ordinance; limiting payment of the bonds to said tax allocation revenues; authorizing the creation & establishment of funds & accounts; authorizing the purchase of such bonds from Idle or other available City General Fund Balances; delegating, authorizing & directing the Finance Director or City Auditor to exercise his or her own independent discretion & judgment in determining when & under what specific circumstances to implement the provisions of this ordinance & in determining & finalizing the terms & provisions with respect to the bonds not specified herein; providing for the application of the proceeds of the bonds; providing for the payment of the principal of & interest on the bonds; taking other action & making other covenants & agreements in connection with the foregoing; & declaring an emergency.

CHANGE OF ZONE 3229 - APP. OF TRG CONSULTING, L.L.C. FOR A CHANGE FROM R-2 RESIDENTIAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 56TH ST. & PIONEERS BLVD. (IN CONNECTION W/00R-65) - CLERK read an ordinance, introduced by Jerry Shoecraft, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time.

CHANGE OF ZONE 3234 - APP. OF E.D.C. FOR A CHANGE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT GUNNISON & BRECKENRIDGE NORTH OF THE OLD FLETCHER ALIGNMENT, ½ MILE WEST OF N. 27TH ST. - PRIOR to reading:

COOK Moved to suspend the rules for Bill 00-48 to have 3rd Reading on this date.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read an ordinance, introduced by Jerry Shoecraft, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time. **(See further Council Action under "ORDINANCES - 3RD READING".)**

CHANGE OF ZONE 3235 - APP. OF THE PLANNING DIRECTOR FOR A CHANGE FROM I-2 INDUSTRIAL PARK TO P PUBLIC USE ON PROPERTY GENERALLY LOCATED AT S. 14TH ST. & RADCLIFF ST. - CLERK read an ordinance, introduced by Jerry Shoecraft, amending the Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the second time.

VACATING THE EAST-WEST ALLEY LOCATED BETWEEN 5TH & 6TH STREETS FROM "G" TO "H" STS. - CLERK read an ordinance, introduced by Jerry Shoecraft, vacating the east-west alley located between 5th & 6th Sts. from "G" to "H" St., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATING THE EAST-WEST ALLEY IN THE BLOCK BOUNDED BY N. 17TH ST., "R" ST., N. 18TH ST., & "Q" ST. - CLERK read an ordinance, introduced by Jerry Shoecraft, vacating the east-west alley in the block bounded by N. 17th St., "R" St., N. 18th St., & "Q" St., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

VACATING COOPER AVE. WEST FROM THE WEST RIGHT-OF-WAY LINE OF S. 52ND ST. APPROX. 158' TO THE WEST LINE OF THE NORTH/SOUTH ALLEY - CLERK read an

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ordinance, introduced by Jerry Shoecraft, vacating Cooper Avenue west from the the west right-of-way line of S. 52nds St. approximately 158' to the west line of the north-south alley, & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

AMENDING CHAPTER 8.08 OF THE LMC, THE AMBULANCE TRANSPORTATION CODE, TO ALLOW AN EXTENSION OF A CURRENT CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY FOR A PERIOD NOT TO EXCEED TWO YEARS - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Chapter 8.08 of the LMC, the Ambulance Transportation Code, by amending Sec. 8.08.050 to allow extensions to facilitate the review of new applications for Certificates of Public Convenience & Necessity; adding a new section numbered 8.08.051 to allow an extension of a current Certificate of Public Convenience & Necessity for a period not to exceed two years; & repealing Sec. 8.08.050 of the LMC as hitherto existing, the second time.

**MISCELLANEOUS BUSINESS**

**PENDING LIST -**

CAMP            Moved to extend the Pending List for 1 week.  
                  Seconded by Johnson & carried by the following vote:    AYES: Camp,  
                  Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

**UPCOMING RESOLUTIONS - NONE**

**ADJOURNMENT**

**4:35 P.M.**

CAMP            Moved to adjourn the City Council Meeting of Feb. 28, 2000.  
                  Seconded by Johnson & carried by the following vote:    AYES: Camp,  
                  Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

So ordered.

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Paul A. Malzer, Jr., City Clerk

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Teresa J. Meier-Brock, Office Assistant III